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Sent: 05/16/2010 03:33 PM AST

To: Mathy Stanislaus

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Subject: Follow up On BP spill and government testing/disclosure

Mathy:

Thank you for sharing the deep sea dispersant plans. We are deeply dissatisfied that BP is in charge of environmental testing, that none of the data being talked about is being disclosed to the public, and that the government appears to be evading rather than aggressively monitoring and reporting on the impact of dispersed oil on marine life. Here is the information that we have been able to surmise to date:

Deep sea dispersants: The dispersant testing protocol made available relies exclusively on BP testing and reporting to the government. Decisions have been made to move forward with the deep-sea dispersants. How is this testing information been made public? Why is the government relying on BP to do the testing? Environmental testing is clearly a government responsibility.

Surface dispersants: I haven't seen the protocol you mentioned on surface dispersants. We are most concerned with the impact of dispersed oil on marine life. Here is what was said in the dispersant Q&A: "The harm or toxicity of dispersed oil in the environment is generally associated with the oil rather than with the dispersant alone. However, use of dispersants breaks up a slick of oil on the surface into smaller droplets that can go beneath the surface. When applied on the surface before spills reach the coastline, dispersants will potentially decrease exposure for surface-dwelling organisms (such as sea birds) and intertidal species (such as mangroves and salt marshes), while increasing exposure to a smaller population of aquatic life found deeper in the water. It is unknown if dispersed oil has toxic implications to the human population because bioaccumulation through the food chain has not been evaluated." What is the basis of the conclusion that dispersed oil affects "a smaller population" because it's underwater? All life in the Gulf depends on the underwater ecosystem. Hundreds of square miles in the affected region are less than 20 feet deep. This statement seems to be a vague reassurance when the reality is we either don't know the impact of this grand experiment or the testing data isn't being disclosed. Why is the government downplaying the damage being done beneath the water's surface?

Seafood Testing: Where are the testing of seafood toxicity being made public? "The Federal and State governments have strong systems in place to test and monitor seafood safety and to prohibit harvesting from affected areas, keeping oiled products out of the market. NOAA Fisheries is working closely with the U.S. Food and Drug Administration and the States to ensure seafood safety. If managers determine that seafood may

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be affected, the next step is to assess whether seafood is tainted or contaminated to levels that could pose a risk to human health through consumption. NOAA conducts a combination of both sensory analysis (of tissue) and chemical analysis (of water, sediment, and tissue) to determine if seafood is safe following an oil spill. The results will be made public as soon as possible."

Natural resources damage assessment: The last public update on May 7 had no useful information on damage assessment other than a process note that they are working with BP. We are nearly a month into this spill. Why are we relying on the liable party (BP) for information on damages? Why is there no meaningful information being provided to the public? What is the schedule for testing and information for this or the new NOAA analysis team that was recently dispatched? http://response.restoration.noaa.gov/book_shelf/1959_deepwater-Horizon-NRDA-ORR-web-5-7-10.pdf

EPA: EPA's website only says that "Nearshore water sampling conducted through May 10, 2010, found that water quality does not pose increased risk to human health or aquatic life". And "Sediment samples taken through May 10, 2010, indicate that there may be risks to aquatic life from pollutants in sediment at some locations. It is unknown whether the sediment contamination resulted from the BP Spill or was already present." Does EPA believe this is an adequate assessment of the environmental condition of the Gulf?

Toxicity: Fishermen volunteers are beginning to report toxic effects and this weekend are calling for dispersant use to be cancelled and adequate protection gear to be provided. What is the government doing to protect people who come in contact with oil, dispersed oil and guide them on protective gear? BP is not handling this responsibility and providing the extensive gear that EPA says is needed.

I know this is quite a list, but our level of concern is deepening over time and we are not satisfied with the public information being provided by EPA, NOAA and the administration.

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National Wildlife Federation inspires Americans to protect wildlife for our children's future.